

UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF TEXAS

~~United States District Court~~  
~~Southern District of Texas~~

**ENTERED**

January 23, 2017

David J. Bradley, Clerk

Hilario David Chacaj,  
Individually and on Behalf of  
All Others Similarly Situated

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Plaintiff,

Civil Action No. 4:16-cv-00380

Doneraki Gulfgate, Inc., et al,

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**Defendants.**

## Interlocutory Opinion on Summary Judgment

## I. Introduction.

A worker sues his former employer, saying that he was not paid for hours worked. He will prevail.

## 2. Background.

Hilario David Chacaj is a former dish-washer and kitchen helper. He was employed from February 2, 2012, to March 2, 2015, by Doneraki Gulfgate, Inc. controlled by Cesar Rodriguez and Magdalena Rodriguez through a collection of corporations that do business as Doneraki's Mexican Restaurant. Chacaj says that Doneraki did not pay him for all hours he worked, under-paying for his overtime, and not keeping accurate records of the hours worked.

### 3. Conclusion

Doneraki did not respond to Chacaj's motion for summary judgment. Doneraki's non-response means no genuine issue of material fact remains disputed. Chacaj's summary judgment is granted. Doneraki is obliged to pay Chacaj's owed wages. A hearing will be held to calculate damages.

Signed on January 23, 2017, at Houston, Texas.

Lynn N. Hughes  
United States District Judge